

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**JEFFREY SCHARRINGHAUSEN and
DOUG STRAHM, individually and on
behalf of all others similarly situated**

Plaintiffs,

v.

**SOLUTIA INC. EMPLOYEES'
PENSION PLAN, et al.,**

Defendants.

Case No. 06-CV-99-DRH

ORDER

HERNDON, District Judge:

This matter comes before the Court on Plaintiffs' Notice of Voluntary Dismissal, filed pursuant to **FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(i)** (Doc. 36). Plaintiffs state their intent to voluntarily dismiss this action "as of right because neither an answer to Plaintiffs' complaint nor a motion for summary judgment has been filed or served." Moreover, Plaintiffs believe their interests "would be best served by the expeditious prosecution of a consolidated action" of two related actions pending before the Court: ***Davis v. Solutia, Inc.*, Case No. 05-cv-736** and ***Hammond v. Solutia, Inc.*, Case No. 06-cv-139**.

As the Court finds Plaintiffs' statements to be true and in compliance with the requirements of **Rule 41(a)**, the Court hereby **ACKNOWLEDGES** Plaintiffs' Notice of Voluntary Dismissal (Doc. 36). This action is hereby **DISMISSED**

WITHOUT PREJUDICE, pursuant to Plaintiffs' Motion. All other pending motions in this action are therefore deemed **MOOT**.

IT IS SO ORDERED.

Signed this 27th day of April, 2006.

/s David RHerndon
United States District Judge